

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 0713-01  
Bill No.: SB 187  
Subject: Civil Procedure; Courts; Public Service Commission; Utilities;  
Telecommunications  
Type: Original  
Date: January 26, 2001

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**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON STATE FUNDS</b>			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
General Revenue	(\$2,500)	(\$2,500)	(\$2,500)
<b>Total Estimated Net Effect on <u>All</u> State Funds</b>	<b>(\$2,500)</b>	<b>(\$2,500)</b>	<b>(\$2,500)</b>

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.

This fiscal note contains 3 pages.

## FISCAL ANALYSIS

### ASSUMPTION

Officials from the **Department of Economic Development (DED) - Public Service Commission (PSC)** state the proposed legislation changes some of the judicial appeal procedures of the PSC orders. However, PSC officials assume the proposed legislation would not fiscally impact its agency.

The **Department of Economic Development (DED) - Office of Public Counsel (OPC)** officials assume the proposed legislation would require their agency to appeal PSC decisions directly to the Courts of Appeals. This bill will slightly reduce the time of appeals made by OPC, but would somewhat increase the cost of litigating appeals.

It is assumed that OPC would be considered a "person" under the proposed Section 386.530, and thus be required to file a \$500 cost bond of appeal in each appeal of a PSC decision. OPC expects an average of five such appeals each year, approximately \$2,500 annually.

Officials from the **Office of State Courts Administrator (CTS)** assume the proposed legislation would have no fiscal impact on its agency.

<u>FISCAL IMPACT - State Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
<b>GENERAL REVENUE FUND</b>			
<u>Costs - DED, Division of Public Counsel</u>			
Filing Fees	(\$2,500)	(\$2,500)	(\$2,500)
<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>	<b><u>(\$2,500)</u></b>	<b><u>(\$2,500)</u></b>	<b><u>(\$2,500)</u></b>
<u>FISCAL IMPACT - Local Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
	\$0	\$0	\$0

### FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

### DESCRIPTION

This act provides that appeals of Public Service Commission orders will be taken directly to the Court of Appeals rather than the Circuit Court. It provides that an order may be stayed pending appeal and the circumstances under which that will occur.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

### SOURCES OF INFORMATION

Department of Economic Development  
Public Service Commission  
Office of Public Counsel  
Office of State Courts Administrator



Jeanne Jarrett, CPA  
Director

January 26, 2001